

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.934 OF 2006

M/s. Joto Abrasives Pvt. Ltd.

..Petitioner.

Vs.

The Nashik Industrial Co-op. Estate Ltd.

..Respondent.

...

Mr. V.B. Naik instructed by Mr. Amit Karkanis for the Petitioner.

CORAM: DR.D.Y.CHANDRACHUD, J.

10th April, 2006.

P.C. :

The Learned Joint Registrar, Co-operative Societies, Mumbai was justified in coming to the conclusion that the invocation of his jurisdiction under Section 154 of the Maharashtra Co-operative Societies Act, 1960 was without any foundation. The Joint Registrar has left it open to the Petitioner to file a substantive petition before this Court and such a petition will have to be a petition under Article 226 of the Constitution. Hence, without going into the merits of the grievance that has been urged on behalf of the Petitioner, this Petition is disposed of leaving it open to the Petitioner to seek recourse to the remedies in law by raising

all the grievances that are sought to be raised in these proceedings in regard to the construction of 48 galas which are alleged to be on a D. P. Road. Subject to the aforesaid, the Petition is dismissed.